



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD) No.7620 of 2014

and

M.P.(MD) Nos.1 and 2 of 2014

1.M.David John D.Morris

2.Mini

3.Dennis Mary

4.M.Franklin

5.Sherin

6.L.Michael Jackson

7.Ravi

8.B.Rabel

9.B.Harris

.. Petitioners

Vs.

1.The State represented by
The Inspector of Police,
District Crime Branch,
Nagercoil,
Kanyakumari District.
Crime No.98 of 2011

2.Florence

.. Respondent

PRAYER: This Criminal Original Petitions have been filed under Section 482 of Criminal Procedure Code, to call for the records relating to C.C.No.194 of 2012 pending before the learned Judicial Magistrate No.I, Nagercoil, and to quash the same.

For Petitioners: Mr.K.P.Narayanakumar

For R1 : Mr.V.Neelakandan

Additional Public Prosecutor

For R2 : Mr.R.Murugan

ORDER

This criminal original petition has been filed to quash the proceedings in C.C.No.194 of 2012 pending before the learned Judicial Magistrate No.I, Nagercoil.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The learned Additional Public Prosecutor appearing for the



first respondent would submit that already the trial has been commenced in C.C.No.194 of 2012.

3.It is seen from the records that no ground is raised by the learned counsel for the petitioners to quash the criminal proceedings against them. The grounds raised in the petition have to be gone into in a full fledged trial. Moreover, as submitted by the learned Additional Public Prosecutor, in this case, trial has been commenced. Therefore, this Court is of the view that this criminal original petition is liable to be dismissed.

4.Accordingly, this criminal original petition is dismissed. Considering the year of the case, the learned Judicial Magistrate No.I, Nagercoil, is directed to dispose of the case, within a period of three months from the date of receipt of a copy of this order. The petitioners are at liberty to raise all the grounds before the trial Court.

5.However, the appearance of the petitioners before the learned Judicial Magistrate No.I, Nagercoil is dispensed with, except the dates of hearing on which, the learned Judicial Magistrate insisted the petitioners to appear before the Court. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1.The Inspector of Police,
District Crime Branch,
Nagercoil,Kanyakumari District.

2.The Judicial Magistrate No.I, Nagercoil.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

- 1 CC TO Mr.K.P.Narayanakumar , ADVOCATE IN SR No. 87511.
- + 1 CC TO Mr.R.Murugan , ADVOCATE IN SR No. 87438.

MM

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